

REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	05 October 1999
Name of applicant/court:	The District Court at Wellington
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	Together02.jpg
Other Known Titles:	Not Stated
Director:	Not Applicable
Producer:	Not Applicable
Publisher:	Not Applicable
Author:	Not Applicable
Format:	Computer Image File
Country of Origin:	Not Applicable
Language:	Not Applicable

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Components of film originally examined: Not Applicable.

Feature:	Running time:
Trailers:	Running time:
	Total Running time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Objectionable.

Display Conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

The computer image file entitled *Together02.jpg* is classified as:
Objectionable.

This classification is because the publication promotes and supports the exploitation of children and young persons for sexual purposes.

The publication is a computer image file. It is a composite image, which takes up the entire computer screen on opening and is able to be scrolled through to bring up an additional half screen. It consists of a number of photographs pasted side by side. All the photographs depict children engaging in sexual activity, or posing in a sexual manner. At the top left hand side, a young girl (aged about eight years) is depicted having vaginal intercourse with an adult man who is crouching behind her. On the top right, a girl aged about twelve is posing with her hand on her exposed genitals. The girl's tee-shirt is pulled up to reveal her small, undeveloped breasts. On the mid-left hand side is a small photograph of a child's head, with a man holding an erect penis to the child's mouth. In the centre is a small photograph depicting in medium close-up a girl's pubic region and vagina. The girl is obviously pre-pubescent. At the bottom left hand side is a photograph of a girl lying back on a bed with her legs splayed to reveal her genitals. At the bottom right, an adult man is depicted with his arm around the naked body of a girl, probably aged in her early teens. The man is looking at the girl's exposed pubic region. The girl has no pubic hair, and very small breasts.

The barrage of sexual imagery makes it clear that the purpose of the image is to sexually arouse the viewer. The publication promotes and supports the sexual exploitation of children and young persons because of its sustained presentation of these persons engaging in sex with adults, and on the sexual characteristics of these persons, for the purpose of adult sexual arousal.

This publication is deemed objectionable under s3(2) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act). Section 3(2) is a deeming provision that is inconsistent with and overrides the right to freedom of expression set out in s14 of the New Zealand Bill of Rights Act 1990.

OFLC Ref: 9901654